following tables show, Verizon NJ's proposed hot cut rates vastly exceeds those proposed by the CLECs in the New Jersey proceeding.

Table 4

Hot Cut Rate Proposals in BPU Docket No. TO03090705

AT&T/Broadview	Source: Exhibit ATT-HCUT-1, at 66-67
Initial Basic	$9.93
Additional Basic	$4.48
Project Hot Cut Initial	$4.50
Project Hot Cut Additional	$4.29
Conversent	Source: Attachment AASM-3
Connect: Initial	$5.41
Connect: Additional	$4.99
Disconnect: Initial	$0.74
Disconnect: Additional	$0.57
MCI	Source: Responsive Testimony of Earle Jenkins, at 4
Coordinated Hot Cut Initial	$7.36
Coordinated Hot Cut Additional	$6.11
Mass Market Hot Cut Initial	$6.38
Mass Market Hot Cut Additional	$5.13
VNJ	Source: T:47; ATT-VNJ-207(Exh III-A-P (revised))
Initial Basic	$90.00
Batch Hot Cut	$69.59

144. Furthermore, Verizon NJ's proposed hot cut rates exceed those approved by regulators for Verizon in Pennsylvania and Virginia, and even those recently established in New York. In sharp

contrast with Verizon NJ's proposed hot cut rates, in Pennsylvania, the hot cut rate is $1.44.[176] The FCC set Verizon VA's rates at $5.01 and $4.84 for POTS/ISDN BRI Migration (UNE Loop) and POTS/ISDN BRI Install (UNE Loop), respectively.[177] The New York Public Service Commission approved basic 2-wire, large job, and batch hot cut rates at $42.36, $33.84, and $28.17, respectively, which are approximately half the amounts proposed by Verizon New York.[178] Although the New York Public Service Commission appropriately reduced Verizon's proposed rates to remedy flaws in its hot cut cost studies, I do not believe that the modified hot cut cost studies in New York sufficiently incorporate automated processes.

[176]Verizon Pennsylvania Inc. Tariff PUC No. 216, Section 3, Part C.1.a., POTS Analog 2-wire, 6th Revised Sheet 6, Effective March 26, 2004, In compliance with Order of the Pennsylvania Public Utility Commission entered December 11, 2003 in Docket No. R-00016683. https://retailgateway.bdi.gte.com:1490/viewdocact.asp?system_id=1552485&lib=TMPI_PCDP_LIB&doc=76684&checkout=false&fileExt=.PDF&Frameset=Created

[177]Verizon Virginia Non-Recurring Charge Elements at Appendix A - Rates, *In the Matter of Petition of Worldcom, Inc., Pursuant to Section 252(e)(5) of the Communications Act for Preemption of the Jurisdiction of the Virginia State Corporation Commission Regarding Interconnection Disputes with Verizon Virginia, Inc., and for Expedited Arbitration*, FCC CC Docket No. 00-218; *In the Matter of Petition of AT&T Communications of Virginia Inc., Pursuant to Section 252(e)(5) of the Communications Act of the Jurisdiction of the Virginia Corporation Commission Regarding Interconnection Disputes with Verizon Virginia, Inc.*, FCC CC Docket No. 00-251, Memorandum Opinion and Order, Rel. January 29, 2004

[178]*New York Hot Cut Order*, at 3.

Mass migration of the embedded UNE-P customer base should not occur until Verizon NJ proposes a hot cut process that minimizes consumer disruption and Verizon NJ is held accountable for its performance.

145. The evidence in New Jersey's proceeding raises credible concerns about Verizon NJ's ability to handle large volumes of hot cuts without jeopardizing residential and small business customers' service quality.[179] The potential quantities and durations of service outage that the evidence in the New Jersey proceeding indicates would likely occur would be harmful not only for mass market customers, but also for CLECs that are striving to attract and retain new customers. Furthermore, Verizon NJ's present carrier-to-carrier reporting system is inadequate because it does not include sufficient indicators for which it isolates its hot cut performance.

146. Customers will hold CLECs accountable for the quality of service they provide, even if Verizon NJ causes the service disruptions or service delays. If customers are dissatisfied in the first few weeks with their new service, then they will likely return to Verizon NJ. Therefore, CLECs' lack of control over their customers during the batch hot cut process, which may last as long as five weeks, severely hampers the customer relationships that they have sought to establish. Customer dissatisfaction benefits Verizon NJ, and, therefore, there are no inherent economic incentives for Verizon NJ to make the UNE-P to UNE-L transition as painless and trouble-free as possible.

[179]Ex. ATT-HCUT-2, at 39-40.

Metrics and incentive payments are essential to enable the Board and the industry to assess the performance of Verizon NJ's individual and batch hot cuts.

147. Verizon NJ lacks the incentive to perform hot cuts promptly and seamlessly. Metrics and incentive payments are essential to address the utter absence of incentives for Verizon NJ to convert loops seamlessly from its switches to CLECs' switches. Although a hot cut necessarily entails service interruption, it is essential to minimize the service outage and to monitor its duration. Verizon NJ has failed to demonstrate that it has analyzed adequately the impact of its proposed batch hot cut processes on mass market customers' service quality.

148. In the FCC's *Triennial Review* proceeding, the ILECs cited the FCC's determination in the 271 proceedings that the BOCs are meeting service quality measures for hot cuts, and that service quality data continues to be satisfactory as volumes have grown. However, the FCC found that "the number of hot cuts performed by BOCs in connection with the section 271 process is not comparable to the number that incumbent LECs would need to perform if unbundled switching were not available for all customer locations served with voice-grade loops."[180] Furthermore:

> . . . these [Section 271] orders examined the adequacy of hot cuts at a time when competitive LECs were principally using unbundled local circuit switching to compete for mass market customers. Indeed, the BOCs frequently relied on evidence of customers being served by unbundled loops combined with unbundled local circuit switching to support their Track A findings of sufficient facilities-based competition.[181]

[180]*TRO*, ¶ 469.

[181]*Id.*, footnote 1435.

149. In addition to failing to meet the triggers, Verizon NJ has failed to demonstrate that it offers a seamless hot cut process at cost-based rates. Therefore, until the Board informs the FCC that Verizon NJ has improved its hot cut process, the FCC should find that CLECs are impaired in New Jersey without access to unbundled mass market switching. The following steps are necessary: reducing ordering intervals; accommodating all forms of hot cuts to enable seamless migration regardless of which carrier or type of loop is serving a customer; and conducting a comprehensive trial of its batch hot cut well in advance of any potential elimination of UNE-P. A carefully designed system of metrics and incentive payments is essential to address the absence of economic incentives for Verizon NJ to provide hot cuts that are transparent to consumers and efficient for CLECs. The New York Public Service Commission recently came to a similar conclusion: "Given the importance of the loop migration process to maintaining an open marketplace and the inherent difficulty in predicting how the process will handle high volumes, we are mandating the establishment of performance standards and enforcement incentives as critical to ensure timely and high quality hot cuts."[182]

[182] *New York Hot Cut Order,* at 1.

VI. APPLICATION OF THE UNBUNDLING FRAMEWORK

The use of triggers to determine whether impairment exists is appropriate *if and only if the FCC establishes appropriate criteria for their application and defines markets properly.*

150. The FCC seeks comment on how to apply its unbundling framework "to make a determination on access to individual network elements."[183] The FCC's framework for the determination of access to unbundled network elements is made up of two "triggers" and a "potential deployment" analysis for evaluating whether impairment exists in a given market.[184] The Commission requires that only one of the three standards be met for a finding of non-impairment. The first trigger is the "self-provisioning trigger," which, to be satisfied, generally requires that three or more competing providers are serving mass market customers with their own local circuit switches.[185] The second trigger ("competitive wholesale facilities trigger") requires that two or more CLECs offer wholesale local circuit switching service to customers using DS0 capacity loops and their own switches.[186] The two triggers examine actual deployment by CLECs, and have been termed "Track 1" of the impairment analysis by some parties. The FCC's rules also include an "analysis of potential deployment" which permits a finding of non-impairment if there is a determination that self-provisioning of local switching is economic based on particular criteria.[187] This examination of potential deployment has been referred to as "Track 2." The FCC's framework

[183] *NPRM*, ¶ 11.

[184] *TRO*, ¶ 494.

[185] *Id.*, ¶ 501.

[186] *Id.*, ¶ 504.

[187] *Id.*, ¶ 506.

also considers intermodal providers of service "comparable in quality to that of the incumbent LEC" to qualify in the trigger analysis.[188]

151. The two triggers, which rely on evidence of *actual* deployment of switches *actually* serving mass market customers, are sound, provided that the FCC defines markets appropriately. As I discuss in Sections III, and IV, above, among other things, it is essential that residential *and* business customers be served. Also, if, contrary to my recommendation, the FCC "counts" SBC (or any other ILECs that make negligible inroads into other ILECs' "home" regions), in its application of the self-provisioning trigger, I recommend that the FCC increase the self-provisioning trigger in its network unbundling rules from three to four. Furthermore, I recommend that the Commission determine that, at present, there are not any intermodal providers of service "comparable in quality to that of the incumbent LEC."

The FCC's "analysis of potential deployment" is administratively unworkable because it invites widely disparate views of the likelihood of CLECs' entry into a particular market being profitable.

152. The FCC's "analysis of potential deployment" relies on regulators' assessment of the evidence of actual deployment, operational barriers, and economic barriers.[189] Although Verizon NJ did not submit a business case analysis in New Jersey, I had the opportunity to analyze and apply the potential deployment (or "Track 2") analysis in my review of Qwest's mass market impairment filing in Utah. Qwest's claim of non-impairment was based in part on the self-provisioning trigger and in

[188] § 51.319 (d)(2)(iii)(A) through (d)(2)(iii)(C).

[189] § 51.319 (d)(2)(iii)(B)(1) through (d)(2)(iii)(B)(3).

part on the analysis of potential deployment. In Utah (and other Qwest-served states), Qwest and AT&T submitted competing models that are intended to analyze whether a competing carrier could economically serve the market without access to the incumbent's switch. The models incorporate a wide range of assumptions regarding market penetration, customer churn rates, costs, revenues, geographic market definition, and the time horizon over which the business case should be conducted.[190]

153. The Court, in *USTA II*, expressed its doubts about the Commission's analysis of potential deployment in the following manner:

> The touchstone of the Commission's impairment analysis is whether the enumerated operational and entry barriers "make entry into a market uneconomic." Order 84. Uneconomic by whom? By *any* CLEC, no matter how inefficient? By an "average" or "representative" CLEC? By the most efficient existing CLEC? By a hypothetical CLEC that used "the most efficient telecommunications technology currently available," the standard that is built into TELRIC? Compare 47 CFR § 51.505(b)(1). We need not resolve

[190] *In the Matter of a Proceeding to Address Actions Necessary to Respond to the Federal Communications Commission Triennial Review Order Released August 21, 2003*, Public Service Commission of Utah Docket No. 03-999-04, Direct Testimony of Byron S. Watson on behalf of Qwest Corporation, filed January 13, 2004 (Mr. Watson presented Qwest's CLEC Profitability Model, or "CPRO"); *In the Matter of a Proceeding to Address Actions Necessary to Respond to the Federal Communications Commission Triennial Review Order Released August 21, 2003*, Public Service Commission of Utah Docket No. 03-999-04, Direct Testimony of Michael R. Baranowski on behalf of AT&T Communications of the Mountain States, Inc. and TCG Utah, filed January 13, 2004 (Mr. Baranowski presented AT&T's Business Case Analysis Tool, or "BCAT").

> the significance of this uncertainty, but we highlight it because we suspect that the issue of whether the standard is too open-ended is likely to arise again.[191]

154. Although theoretically appealing, this method of assessing impairment ultimately would shed minimal light on the question of impairment yet would expend substantial administrative resources to address. Furthermore, even if the FCC determined that a CLEC *could* theoretically enter a market, this possibility alone is irrelevant to the mass market consumer who only benefits from the *actual* entry by a CLEC. For these reasons, the FCC should eliminate the potential deployment analysis from its final network unbundling rules.

155. Although I recommend that the FCC eliminate Section § 51.319 (d)(2)(iii)(B)(1) through (d)(2)(iii)(B)(3) from its rules, it should not eliminate Section § 51.319 (d)(2)(iii)(B)(4), which requires the establishment of a the "cutoff" between mass market and enterprise customers. The FCC intended that states would make this determination "as part of the economic and operational analysis" required to assess potential deployment.[192] However, if the Commission adopts my recommendation, it will eliminate the potential deployment analysis. As I understand the *USTA II* directives, it is now the FCC, and not the state, that must define mass market. I recommend that it do

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[191] *USTA II*, at 25, emphasis in original. The Court noted that in light of its remand it need not review the FCC's impairment standard, as it "finds concrete meaning only in its application, and only in that context is it readily justiciable." However, the Court did offer a few "observations." *Id.*, at 24.

[192] *TRO*, ¶ 497.

so unambiguously by defining up to 24 DS0 lines as mass market, for the reasons I discuss in more detail in Section III, above.

156. If, contrary to my recommendation, the FCC does not eliminate the analysis of potential deployment from its final rules, I recommend that, in evaluating the three criteria relating to potential deployment, it afford the greatest weight to the criterion regarding evidence of actual deployment. Among the three criteria that the FCC identifies in its unbundling rules for making a "Track 2" analysis, the actual deployment of switches provides the strongest evidence of CLECs' assessment of the potential profitability of market entry (although, until the CLEC uses the switch to serve residential and business customers throughout the relevant geographic market, the evidence is still significantly weaker than information about quantities and locations of customers actually being served).

157. In its analysis of economic barriers, the Commission likely will be assessing competing business case models. The Commission should require ILECs and CLECs, in their design of such models, to compare the projected profitability of (1) serving residential and business customers with (2) serving only business consumers. In those instances where including the residential market in a cash flow analysis diminishes the projected net revenues, one can reasonably assume that rational CLECs will not serve residential customers. If the inclusion of residential customers reduces projected profits in a given market, the FCC should determine that the evidence is not sufficient to make a finding of non-impairment under "Track 2." If the FCC decides to retain the analysis of potential deployment in its final rules, then it should expand the rules to include an explicit directive

that ILECs separately demonstrate the profitability of serving (1) residential and business customers and (2) serving only business customers. Furthermore, ILECs' applications should disaggregate the financial analyses to a wire center level. These distinct analyses will assist the FCC in assessing the plausibility of CLECs serving the *entire* mass market.

158. Finally, the use of triggers to determine whether impairment exists is appropriate *if and only if the FCC establishes appropriate criteria for their application and defines markets properly.*

VII. CONCLUSIONS AND RECOMMENDATIONS

159. Based on my examination of granular data in New Jersey's local market, I determined that, regardless of whether the FCC adopts Verizon NJ's proposed geographic markets or wire centers, as I propose, CLECs would be impaired without access to unbundled mass market local switching in New Jersey's local markets. Furthermore, a premature finding of non-impairment would harm consumers by denying them competitive choice, and the harm would fall disproportionately on residential consumers.

160. If the FCC determines that additional data are required in order to assess whether impairment exists, it should afford all parties an opportunity to review the data and the FCC should conduct evidentiary hearings regarding the analysis of such data.

161. Based on my participation in three state impairment proceedings, and in particular, on my analysis of granular information submitted by Verizon NJ and CLECs in New Jersey, I conclude that Verizon NJ has failed to demonstrate that there are *any* mass markets in New Jersey in which the FCC, in applying its self-provisioning trigger, can determine that there is no impairment.

162. Among my other major conclusions and recommendations are the following:

1. The FCC should adopt the wire center as the relevant geographic market for assessing whether impairment exists.
2. The FCC should modify its rules to clarify that the delineation between the mass and enterprise markets coincides with 24 DS0 channels.

3. The FCC should retain the self-provisioning trigger and, in applying the trigger, should require that *at least three* self-provisioning CLECs serve the entire relevant market, including both residential *and* business customers.

a. Also, if, contrary to my recommendation, the FCC "counts" SBC (or any other ILECs that make negligible inroads into other ILECs' "home" regions), in its application of the self-provisioning trigger, I recommend that the FCC increase the self-provisioning trigger in its network unbundling rules from three to four.

b. Furthermore, I recommend that the Commission determine that, at present, there are not any intermodal providers of service "comparable in quality to that of the incumbent LEC."

4. The FCC should eliminate the potential deployment trigger. If, contrary to my recommendation, the FCC retains the potential deployment trigger, it should require ILECs to demonstrate that the inclusion of the residential market in the business case model *enhances* rather than *diminishes* the profitability of CLEC entry.

5. The FCC should eliminate the anti-consumer rate increases that it proposes during the "transition" period.

6. Verizon NJ does not yet offer a sufficiently automated hot cut process at reasonable rates.

7. Until such time as the New Jersey Board approves a seamless hot cut process at cost-based rates, the FCC should not reach a finding of non-impairment in any New Jersey mass market.

RECEIVED & INSPECTED

OCT 5 - 2004

FCC - MAILROOM

FCC CC Docket No. 01-338 and WC Docket No. 04-313
AFFIDAVIT OF SUSAN M. BALDWIN

DECLARATION

The foregoing statements are true and correct to the best of my knowledge, information, and belief.

Susan M. Baldwin

Susan M. Baldwin

Newburyport, Massachusetts, September 30, 2004

SWORN TO AND SUBSCRIBED
before me on this, the 30 day of
Sept, 2004

Shirley Marshall
NOTARY PUBLIC

My Commission expires
My Commission Expires
March 1, 2007

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Unbundled Access to Network Elements	)	WC Docket No. 04-313
	)	
	)	
Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers	))	WC Docket No. 01-338

REDACTED – FOR PUBLIC INSPECTION

ATTACHMENTS TO THE

AFFIDAVIT OF

SUSAN M. BALDWIN

on behalf of the

New Jersey Division of the Ratepayer Advocate

September 30, 2004

FCC CC Docket No. 01-338 and WC Docket No. 04-313
AFFIDAVIT OF SUSAN M. BALDWIN

LIST OF ATTACHMENTS

(Redacted Versions of Confidential Attachments Provided)

Attachment SMB-1

Statement of Qualifications of Susan M. Baldwin

SUSAN M. BALDWIN
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smbaldwin@comcast.net

Susan M. Baldwin has been actively involved in public policy for twenty-six years, twenty of which have been in telecommunications policy and regulation. Ms. Baldwin is presently an independent consultant. Ms. Baldwin received her Master of Economics from Boston University, her Master of Public Policy from Harvard University's John F. Kennedy School of Government, and her Bachelor of Arts degree in Mathematics and English from Wellesley College.

Ms. Baldwin has extensive experience both in government and in the private sector. Since 2001, Ms. Baldwin has been advising and testifying on behalf of public sector agencies as an independent consultant. In that capacity, she provided comprehensive technical assistance to the Massachusetts Department of Telecommunications and Energy (DTE), serving as a direct advisor in a comprehensive investigation of recurring and nonrecurring costs for unbundled network elements (UNEs). She sponsored testimony in a numbering resource and virtual "NXX" proceeding on behalf of the Iowa Office of Consumer Advocate, on UNE cost studies on behalf of the Illinois Citizens Utility Board, on Qwest's petition to reclassify certain services as competitive on behalf of the Attorney General of the State of Washington, and on CenturyTel's request to raise rates on behalf of the Arkansas Attorney General's Office. She also provided advisory services to the United States General Accounting Office in its preparation of a report on the Internet backbone market.

Most recently, Ms. Baldwin has been working on behalf of consumer advocates in the state *Triennial Review Order* ("TRO") proceedings. She prepared comprehensive testimony analyzing mass market impairment on behalf of the New Jersey Division of the Ratepayer Advocate, the Arkansas Office of the Attorney General, and the Utah Committee of Consumer Services. Testimony was not filed in Arkansas or Utah because of the DC Circuit Court ruling in USTA v. FCC, which caused these states to postpone their investigations of impairment.

Ms. Baldwin has testified before the Arkansas Public Service Commission, California Public Utilities Commission, Colorado Public Utilities Commission, Connecticut Department of Public Utility Control, Idaho Public Utilities Commission, Illinois Commerce Commission, Indiana Utility Regulatory Commission, Iowa Utilities Board, Massachusetts Department of Telecommunications and Energy, Nevada Public Service Commission, New Jersey Board of Regulatory Commissioners, Public Utilities Commission of Ohio, Rhode Island Public Utilities Commission, Tennessee Public Service Commission, Vermont Public Service Board, and Washington Utilities and Transportation Commission.

She has also participated in projects in Delaware, the District of Columbia, Hawaii, Illinois, New York, Pennsylvania, and Canada on behalf of consumer advocates, public utility commissions, and competitive local exchange carriers. Ms. Baldwin has served in a direct advisory capacity to public utility commissions in the District of Columbia, Massachusetts, New Mexico, Utah and Vermont.

Ms. Baldwin worked with Economics and Technology, Inc. for twelve years, most recently as a Senior Vice President. Among her numerous projects were the responsibility of advising the Vermont Public Service Board in matters relating to a comprehensive investigation of NYNEX's revenue requirement and proposed alternative regulation plan. She participated in all phases of the docket, encompassing review of testimony, issuance of discovery, cross-examination of witnesses, drafting memoranda and decisions, and reviewing compliance filings. Another year-long project managed by Ms. Baldwin was the in-depth analysis and evaluation of the cost proxy models submitted in the FCC's universal service proceeding. Also, on behalf of the staff of the Idaho Public Utilities Commission, Ms. Baldwin testified on the proper allocation of US West's costs between regulated and non-regulated services. On behalf of AT&T Communications of California, Inc. and MCI Telecommunications Corporation, Ms. Baldwin comprehensively analyzed the non-recurring cost studies submitted by California's incumbent local exchange carriers.

Ms. Baldwin served as a direct advisor to the Massachusetts Department of Telecommunications and Energy (DTE) between August 2001 and July 2003, in Massachusetts DTE Docket 01-20, an investigation of Verizon's total element long run incremental cost (TELRIC) studies for recurring and nonrecurring unbundled network elements (UNEs). She assisted with all aspects of this comprehensive case in Massachusetts. Ms. Baldwin analyzed recurring and nonrecurring costs studies; ran cost models; reviewed parties' testimony, cross-examined witnesses, trained staff, met with the members of the Commission, assisted with substantial portions of the major orders issued by the DTE; and also assisted with the compliance phase of the proceeding.

Ms. Baldwin has participated in numerous investigations of the impact of proposed mergers of telecommunications carriers on consumers. Ms. Baldwin sponsored testimony on behalf of the Nevada Bureau of Consumer Protection on the proposed merger of Sprint and WorldCom; sponsored testimony on behalf of the Office of Ratepayer Advocates (ORA) of the California Public Utilities Commission and also on behalf of the Washington Office of Attorney General in their respective investigations of the proposed merger of Bell Atlantic Corporation and GTE Corporation; co-managed assistance to the Hawaii Division of Consumer Advocacy in the analysis of the proposed BA/GTE merger; sponsored testimony on behalf of the Ohio Consumers' Counsel and the Indiana Office of Utility Consumer Counselor on the SBC/Ameritech merger; co-sponsored testimony on behalf of the Connecticut Office of Consumer Counsel on the impact of SBC's acquisition of SNET on consumers; co-authored affidavits submitted to the FCC on behalf of consumer coalitions on the SBC/Ameritech and BA/GTE mergers; and co-managed a project to assist the ORA analyze the California Public Utilities Commission's investigation of the merger of Pacific Telesis Group and SBC Communications.

Ms. Baldwin has contributed to the development of state and federal policy on numbering matters. On behalf of the Ad Hoc Telecommunications Users Committee, Ms. Baldwin participated in the Numbering Resource Optimization Working Group (NRO-WG), and in that capacity, served as a co-chair of the Analysis Task Force of the NRO-WG. She has also provided technical assistance to consumer advocates in the District of Columbia, Illinois, Iowa, Massachusetts, and Pennsylvania on area code relief and numbering optimization measures. Ms. Baldwin also co-authored comments on behalf of the National Association of State Utility Consumer Advocates in the FCC's proceeding on numbering resource optimization.

Ms. Baldwin served four years as the Director of the Telecommunications Division for the Massachusetts Department of Public Utilities (the predecessor to the DTE), where she directed a staff of nine, and acted in a direct advisory capacity to the DPU Commissioners. (The Massachusetts DTE maintains a non-separated staff, which directly interacts with the Commission, rather than taking an advocacy role of its own in proceedings). Ms. Baldwin advised and drafted decisions for the Commission in numerous DPU proceedings including investigations of a comprehensive restructuring of New England Telephone Company's rates, an audit of NET's transactions with its NYNEX affiliates, collocation, ISDN, Caller ID, 900-type services, AT&T's request for a change in regulatory treatment, pay telephone and alternative operator services, increased accessibility to the network by disabled persons, conduit rates charged by NET to cable companies, and quality of service. Under her supervision, staff analyzed all telecommunications matters relating to the regulation of the then \$1.7-billion telecommunications industry in Massachusetts, including the review of all telecommunications tariff filings; petitions; cost, revenue, and quality of service data; and certification applications. As a member of the Telecommunications Staff Committees of the New England Conference of Public Utility Commissioners (NECPUC) and the National Association of Regulatory Utility Commissioners (NARUC), she contributed to the development of telecommunications policy on state, regional, and national levels.

Ms. Baldwin has worked with local, state, and federal officials on energy, environmental, budget, welfare, and telecommunications issues. As a policy analyst for the New England Regional Commission (NERCOM), Massachusetts Department of Public Welfare (DPW), and Massachusetts Office of Energy Resources (MOER), she acquired extensive experience working with governors' offices, state legislatures, congressional offices, and industry and advocacy groups. As an energy analyst for NERCOM, Ms. Baldwin coordinated New England's first regional seminar on low-level radioactive waste, analyzed federal and state energy policies, and wrote several reports on regional energy issues. As a budget analyst for the DPW, she forecast expenditures, developed low-income policy, negotiated contracts, prepared and defended budget requests, and monitored expenditures of over \$100 million. While working with the MOER, Ms. Baldwin conducted a statewide survey of the solar industry and analyzed federal solar legislation.

Ms. Baldwin received Boston University's Dean's Fellowship. While attending the Kennedy School of Government, Ms. Baldwin served as a teaching assistant for a graduate course in microeconomics and as a research assistant for the school's Energy and Environmental Policy Center, and at Wellesley College was a Rhodes Scholar nominee. She has also studied in

Ghent, Belgium.

Record of Prior Testimony

In the matter of the Application of the New Jersey Bell Telephone Company for Approval of its Plan for an Alternative Form of Regulation, New Jersey Board of Regulatory Commissioners Docket No. T092030358, on behalf of the New Jersey Cable Television Association, filed September 21, 1992, cross-examined October 2, 1992.

DPUC review and management audit of construction programs of Connecticut's telecommunications local exchange carriers, Connecticut Department of Public Utility Control Docket No. 91-10-06, on behalf of the Connecticut Office of the Consumer Counsel, filed October 30, 1992, cross-examined November 4, 1992.

Joint petition of New England Telephone and Telegraph Company and Department of Public Service seeking a second extension of the Vermont Telecommunications Agreement, Vermont Public Service Board 5614, Public Contract Advocate, filed December 15, 1992, cross-examined December 21, 1992.

Application of the Southern New England Telephone Company to amend its rates and rate structure, Connecticut Department of Public Utility Control Docket No. 92-09-19, on behalf of the Connecticut Office of Consumer Counsel, filed March 26, 1993 and May 19, 1993, cross-examined May 25, 1993.

In the matter of the Application of Cincinnati Bell Telephone Company for Approval of an Alternative Form of Regulation and for a Threshold Increase in Rates, Public Utilities Commission of Ohio Case No. 93-432-TP-ALT, on behalf of Time Warner AxS, filed March 2, 1994.

Matters relating to IntraLATA Toll Competition and Access Rate Structure, Rhode Island Public Utilities Commission Docket 1995, on behalf of the Rhode Island Public Utilities Commission Staff, filed March 28, 1994 and June 9, 1994, cross-examined August 1, 1994.

In the Matter of the Application of The Ohio Bell Telephone Company for Approval of an Alternative Form of Regulation, Public Utilities Commission of Ohio Case No. 93-487-TP-ALT, on behalf of Time Warner AxS, filed May 5, 1994, cross-examined August 11, 1994.

In Re: Universal Service Proceeding: The Cost of Universal Service and Current Sources of Universal Service Support, Tennessee Public Service Commission Docket No. 95-02499, on behalf of Time Warner AxS of Tennessee, L.P., filed October 18, 1995 and October 25, 1995, cross-examined October 27, 1995.

In Re: Universal Service Proceeding: Alternative Universal Service Support Mechanisms, Tennessee Public Service Commission Docket No. 95-02499, on behalf of Time Warner AxS of Tennessee, L.P., filed October 30, 1995 and November 3, 1995, cross-examined November 7, 1995.

In the Matter of the Application of US West Communications, Inc. for Authority to Increase its Rates and Charge for Regulated Title 61 Services, Idaho Public Utilities Commission Case No. USW-S-96-5, on behalf of the Staff of the Idaho Public Utilities Commission, filed November 26, 1996 and February 25, 1997, cross-examined March 19, 1997.

A Petition by the Regulatory Operations Staff to Open an Investigation into the Procedures and

Methodologies that Should Be Used to Develop Costs for Bundled or Unbundled Telephone Services or Service Elements in the State of Nevada, Nevada Public Service Commission Docket No. 96-9035, on behalf of AT&T Communications of Nevada, Inc., filed May 23, 1997, cross-examined June 6, 1997.

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture; Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks, California Public Utilities Commission R.93-04-003 and I.93-04-002, co-authored a declaration on behalf of AT&T Communications of California, Inc., and MCI Telecommunications Corporation, filed on December 15, 1997 and on February 11, 1998.

Consolidated Petitions for Arbitration of Interconnection Agreements, Massachusetts Department of Telecommunications and Energy, DPU 96-73/74. 96-75, 96-80/81, 96-83, and 96-84, on behalf of AT&T Communications of New England, Inc. and MCI Telecommunications Corporation, filed February 3, 1998.

In the Matter of the Application of US West Communications, Inc. for Specific Forms of Price Regulation, Colorado Public Utilities Commission Docket No. 97-A-540T, on behalf of the Colorado Office of Consumer Counsel, filed on April 16, 1998, May 14, 1998 and May 27, 1998, cross-examined June 2, 1998.

Joint Application of SBC Communications and Southern New England Telecommunications Corporation for Approval of a Change of Control, Connecticut Department of Public Utility Control Docket No. 98-02-20, on behalf of the Connecticut Office of Consumer Counsel, filed May 7, 1998 and June 12, 1998, cross-examined June 15-16, 1998.

Fourth Annual Price Cap Filing of Bell Atlantic-Massachusetts, Massachusetts Department of Telecommunications and Energy Docket DTE 98-67, on behalf of MCI Telecommunications Corporation, filed September 11, 1998 and September 25, 1998, cross-examined October 22, 1998.

Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control, Federal Communications Commission CC Docket No. 98-141, co-sponsored affidavit on behalf of Indiana Utility Consumer Counselor, Michigan Attorney General, Missouri Public Counsel, Ohio Consumers' Counsel, Texas Public Utility Counsel and Utility Reform Network, filed on October 13, 1998.

In the Matter of the Joint Application of SBC Communications Inc., SBC Delaware, Inc., Ameritech Corporation and Ameritech Ohio for Consent and Approval of a Change of Control, Public Utilities Commission of Ohio Case No.98-1082-TP-AMT, on behalf of Ohio Consumers' Counsel, filed on December 10, 1998, cross-examined on January 22, 1999.

GTE Corporation, Transferor, and Bell Atlantic Corporation, Transferee, For Consent to Transfer Control, Federal Communications Commission CC Docket No. 98-184, co-sponsored an affidavit on behalf of a coalition of consumer advocates from Delaware, Hawaii, Maine, Maryland, Missouri, Ohio, Oregon, West Virginia, and Michigan, filed on December 18, 1998.

In the Matter of the Joint Application of GTE and Bell Atlantic to Transfer Control of GTE's California Utility Subsidiaries to Bell Atlantic, Which Will Occur Indirectly as a Result of GTE's Merger with Bell

Atlantic, California Public Utilities Commission A. 98-12-005, on behalf of the California Office of Ratepayer Advocate, filed on June 7, 1999.

In the Matter of the Investigation on the Commission's Own Motion Into All Matters Relating to the Merger of Ameritech Corporation and SBC Communications Inc., Indiana Utility Regulatory Commission Cause No. 41255, on behalf of the Indiana Office of Utility Consumer Counselor, filed on June 22, 1999 and July 12, 1999, cross-examined July 20, 1999.

In re Application of Bell Atlantic Corporation and GTE Corporation for Approval of the GTE Corporation - Bell Atlantic Corporation Merger, Washington Utilities and Transportation Commission UT-981367, on behalf of the Washington Attorney General Public Counsel Section, filed on August 2, 1999.

Application of New York Telephone Company for Alternative Rate Regulation, Connecticut Department of Public Utility Control Docket No. 99-03-06, on behalf of the Connecticut Office of Consumer Counsel, filed October 22, 1999.

In re: Area Code 515 Relief Plan, Iowa Utilities Board Docket No. SPU-99-22, on behalf of the Iowa Office of Consumer Advocate, filed November 8, 1999, and December 3, 1999, cross-examined December 14, 1999.

In re Application of MCI WorldCom, Inc. and Central Telephone Company - Nevada, d/b/a Sprint of Nevada, and other Sprint entities for Approval of Transfer of Control pursuant to NRS 704.329, Nevada Public Utilities Commission Application No. 99-12029, on behalf of the Nevada Office of the Attorney General, Bureau of Consumer Protection, filed April 20, 2000.

In re: Area Code 319 Relief Plan, Iowa Utilities Board Docket No. SPU-99-30, on behalf of the Iowa Office of Consumer Advocate, filed June 26, 2000 and July 24, 2000.

In re: Sprint Communications Company, L.P. & Level 3 Communications, L.L.C., Iowa Utilities Board Docket Nos. SPU-02-11 & SPU-02-13, filed October 14, 2002 and January 6, 2003, cross-examined February 5, 2003.

Illinois Bell Telephone Company filing to increase unbundled loop and nonrecurring rates (tariffs filed December 24, 2002), Illinois Commerce Commission Docket No. 02-0864, on behalf of Citizens Utility Board, filed May 6, 2003 and February 20, 2004.

Qwest Petition for Competitive Classification of Business Services, Washington Utilities and Transportation Commission Docket No. 030614, on behalf of Public Counsel, filed August 13, 2003 and August 29, 2003, cross-examined September 18, 2003.

In the Matter of the Application of CenturyTel of Northwest Arkansas, LLC for Approval of a General Change in Rates and Tariffs, Arkansas Public Service Commission Docket No. 03-041-U, on behalf of the Attorney General, filed October 9, 2003 and November 20, 2003.

In the Matter of the Board's Review of Unbundled Network Elements, Rates, Terms and Conditions of Bell Atlantic New Jersey, Inc., New Jersey Board of Public Utilities Docket No. TO00060356, on behalf of the New Jersey Division of the Ratepayer Advocate, filed January 23, 2004.